

OUR VIEW

State has broken its clean water promise

But lawmakers can take action to fix system

Among states, Pennsylvania stands nearly alone in making an explicit promise to its citizens that the commonwealth will protect their access to clean air and clean water, and guarantee “the preservation of natural, scenic, historic and aesthetic values of the environment.”

That unambiguous promise, enshrined in Article I, Section 27 of the Pennsylvania Constitution, further states that “Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the commonwealth shall conserve and maintain them for the benefit of all the people.”

Yet, since that language was adopted in 1971, state lawmakers have been steadily backsliding on that promise in the most critical of areas: public access to clean and safe drinking water.

Water isn’t like any other publicly regulated utility. You can get along without natural gas or electricity. Yes, it’ll be rough. But it’s ultimately survivable — at least for a little while.

But you need clean water to live. The maximum time you can survive without water, which makes up 60 percent of your body, is a week.

After all, when scientists train their eyes on the cosmos to search for life, they’re not looking for power lines or Marcellus Shale natural gas wells. They’re looking for evidence of liquid water, a critical building block of life.

But as PennLive’s Wallace McKelvey details in a harrowing but utterly necessary report, years of budget cuts have depleted the ranks of water inspectors at the state Department of Environmental Protection, putting your safety, and that of your family, at risk.

And that, in turn, has led some experts to warn that it could be only a matter of time before the state faces a Flint, Michigan-scale public health emergency.

The numbers are shocking:

- › Between 2008 and 2012, state funding for the DEP was nearly halved, dropping from \$229 million to \$125 million. In recent years, that figure crept upward again to \$148 million. Had the agency’s 2008 budget kept pace with inflation, however, it would now be \$271 million.
- › During that drop, the DEP lost 750 inspectors, who are carrying an average inspection workload of 149 water systems each. A 2012 survey by the Association of State Drinking Water Administrators showed a national average of 67.
- › The increased workload has led to a reduction of in the number of inspections. According to U.S. Environmental Protection Agency data, inspectors completed 3,177 surveys in fiscal year 2009. By 2015, that number dropped to 1,847.
- › The same budget cuts that hit the inspection side also impacted enforcement. Currently, the DEP employs 68 attorneys who represent its various regulatory programs. Lawyers play an important role in crafting formal enforcement actions that must be defended in court.
- › Meanwhile, the number of violations that inspectors identified but were never resolved spiked from 4,298 to 7,922, even with fewer inspectors on the ground.
- › In fiscal year 2017, state inspectors visited about 19 percent of the state’s water systems, well below the national average of 37 percent, McKelvey wrote.

“Now, we’re basically just limping along, trying to keep the program together with bubblegum and bailing wire,” David Hess, a former DEP secretary under ex-Gov. Tom Ridge, told McKelvey. “The question is: Where is that line? How far is too far?”

If there is any bright spot, it’s that the 2018-19 budget that Gov. Tom Wolf signed into law includes a \$5.6 million funding increase for the fiscal year that started July 1.

That money, in turn, would help underwrite the hiring of 33 new employees, including 17 trainee inspectors, as well as compliance specialists, engineers and geologists who are badly needed to fill the ranks of Pennsylvania’s drained drinking water program.

Those trainee hires, who would replace the aging, veteran



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inspectors who are moving toward retirement age, would eventually bring the DEP down to a more manageable workload of 100 to 125 water systems for each inspector.

That’s still higher than the ideal of 67 water systems. Like anything else, it’s a start.

But it’s still inexcusable. And it doesn’t have to be that way. The solution lies within lawmakers’ reach, if they are brave enough to do so.

It won’t take a tax hike. It won’t take a fee hike. All lawmakers have to do is reach for their own wallets.

Right now, Pennsylvania lawmakers contribute a scant 1 percent to 3 percent of their total salary, a base of \$87,180 (for leaders, salaries can run \$99,410 to \$136,094) toward the total cost of their health care.

Private sector employees pay far more. And unlike the politicians who lead them, the average cubicle dweller doesn’t get lifetime health and prescription benefits for themselves, their spouses and their children up to age 26, upon leaving office.

The total cost of that Cadillac suite of benefits came to \$825.5 million in 2017.

The DEP needs at least 85 more inspectors to reach its ideal complement of 67 water systems per-inspector. At an average cost of \$40,000 per inspector, lawmakers would need cough up an extra \$3.4 million a year.

That would barely make a dent in the luxury-model benefits they currently enjoy — and that most of their constituents can only dream about.

Or if that’s too much, the General Assembly could always dip into its surplus, which tipped the books at \$95 million at the end of last year.

That might sting a bit. But there’s some shared pain there. And it would go a long way toward making sure that lawmakers fulfill the promise that only five others states (Hawaii, Illinois, Massachusetts, Montana, and Rhode Island are the others) make to their citizens.

There is no more sacred a trust than the health and safety of the citizenry. It’s time for Harrisburg to live up to that trust.